

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PATRICK M. McCOLLUM,

No. C 04-3339 CRB

Plaintiff,

ORDER

v.

THE STATE OF CALIFORNIA et al.,

Defendants.

Now before the Court is defendants' motion to dismiss based on statute of limitations. In its Order filed December 13, 2007, the Court continued the motion to allow plaintiffs to file a response to defendants' reply brief calculation of the statute of limitations as to certain grievances. Plaintiffs have advised the Court that they do not dispute the calculation. Accordingly, as set forth in the December 13, 2007 Order, defendants' motion to dismiss the claims set forth on pages 7-8 of their Reply as barred by the statute of limitations is GRANTED. This dismissal includes claims emanating from Capogreco grievance No. MCSP-97-00390, Mourland grievance filed on November 20, 2002, and Collins grievance No. SQ-02-1251 submitted April 17, 2002.

IT IS SO ORDERED.

Dated: January 8, 2008



CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE

United States District Court
For the Northern District of California

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